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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

SolarCity Corporation,

Plaintiff,

vs.

Salt River Project Agricultural Improvement
and Power District,

Defendant.

No. 2:15-CV-00374-DLR

**PLAINTIFF SOLARCITY
CORPORATION'S STATEMENT
CONCERNING DEFENDANT'S
NOTICE OF LODGING PURSUANT
TO LRCIV. 5.6(d)**

1 For the sake of clarity, Plaintiff SolarCity Corporation (“SolarCity”) hereby states
2 that it will not seek sealing of any document that Defendant Salt River Project
3 Agricultural Improvement & Power District (“SRP”) SRP lodged at Docket Nos. 166 &
4 168. *See* Docket No. 165 (SRP’s LRCiv 5.6(d) notice and motion to seal).

5 SolarCity assumes that the highest standard (“compelling reasons”) applies because
6 SRP lodged those documents in connection with a filing where SRP engages in argument
7 about merits of SolarCity’s lodged preliminary injunction motion. *See Ctr. for Auto*
8 *Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1099 (9th Cir. 2016).

9 In light of that standard and the presumption in favor of public access, SolarCity
10 does not believe that any document lodged at Docket No. 168 need be sealed at filing.

11 Dated: August 9, 2016

Respectfully submitted,

12 BOIES, SCHILLER & FLEXNER LLP

13 By: s/Sean P. Rodriguez

14 Sean P. Rodriguez

15 *Attorneys for Plaintiff SolarCity Corporation*
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CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2016, I electronically transmitted the attached document, together with the materials attached to and electronically lodged with it, to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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